

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

JAMES BUIE D/B/A J/B TOWING SERVICE PLAINTIFF

VS. CIVIL ACTION NO. 5:04-cv-305 (DCB) (JCS)

GARY A. BROWN, GADDY TRUCKING, INC.,
JOHN R. ROBINSON, AND HUDSON
ENVIRONMENTAL SERVICES DEFENDANTS

GARY A. BROWN AND GADDY TRUCKING, INC. CROSS-CLAIMANTS

VS.

JOHN R. ROBINSON AND HUDSON
ENVIRONMENTAL SERVICES CROSS-DEFENDANTS

GARY A. BROWN AND GADDY TRUCKING, INC. COUNTER-PLAINTIFFS

VS.

JAMES BUIE D/B/A J/B TOWING SERVICE COUNTER-DEFENDANT

ORDER OF DISMISSAL

This cause having come before the Court sua sponte concerning dismissal of this action due to the death of the counter-defendant James Buie. The court previously entered a judgment of dismissal with prejudice as to the claims of plaintiff James Buie against defendants Gary A. Brown, Gaddy Trucking, Inc., John R. Robinson, and Hudson Environmental Services. An order of dismissal with prejudice was also entered on the cross-claims of cross-claimants Gary A. Brown and Gaddy Trucking, Inc., against cross-defendants John R. Robinson and Hudson Environmental Services. A judgment was entered on the counter-claim of counter-claimants Gary A. Brown and Gaddy Trucking, Inc., against counter-defendant James Buie, but Mr.

Buie died before a determination of damages could be made. Pursuant to this Court's order to show cause of November 16, 2007, this action should be finally dismissed. Accordingly,

IT IS HEREBY ORDERED that this action is dismissed with prejudice as to all claims, cross-claims and counter-claims.

SO ORDERED, this the 19th day of February, 2008.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE